

REMARKS/ARGUMENTS

Favorable reconsideration of this application as currently amended and in light of the following discussion is respectfully requested.

Claims 10-13, 15-19, and 21-29 are currently pending. The present Amendment amends Claims 10 and 16; cancels Claims 14 and 20 without prejudice or disclaimer; and adds Claims 22-29. The changes and additions to the claims are supported by the originally filed application. No new matter has been added.

In the outstanding Office Action, Claims 10-21 were rejected under 35 U.S.C. § 102(e) as being anticipated by Beauchamp et al. (U.S. Patent No. 6,621,505, herein "Beauchamp").

Applicant respectfully requests reconsideration of the rejection of independent Claims 10 and 16 for the reasons discussed below.

Independent Claims 10 and 16 are amended to recite the features of dependent Claims 14 and 20, respectively. Accordingly, Claims 14 and 20 are cancelled without prejudice or disclaimer.

Amended independent Claim 10 is thus directed to a computer readable medium having computer readable program code for controlling a computer screen embodied therein, the computer readable program code including: (1) a dynamic display component which is compiled computer readable program code that acquires display contents to be dynamically changed at a time when the display contents are displayed; (2) computer readable program code that acquires dynamic display component identification information for specifying the dynamic display component and display attribute information used by the dynamic display component; (3) computer readable program code that incorporates the dynamic display

component which is specified by the dynamic display component identification; (4) computer readable program code that provides the display attribute information for the dynamic display component; and (5) computer readable program code that produces a display including the display contents to be dynamically changed which is acquired by the dynamic display component, wherein the dynamic display component executes a dynamic display processing for displaying a popup window based on the contents of the display attribute information. Amended independent Claim 16 is directed to a computer and recites features similar to those of Claim 10.

The Office Action asserts at page 4 that Beauchamp teaches that "the dynamic display component executes a dynamic display processing for displaying a popup window based on the contents of the display attribute information" based on column 10, lines 46-48, of Beauchamp. Applicant notes that the cited passage states that "[w]hen the mouse moves over the next button, a *pop-up menu* 126 may display the next screen as defined in the process, the farthest progression screen and all of the optimal processes associated with that screen." Applicant further notes similar passages in Beauchamp pertaining to pop-up *menus* 122, 132, and 136 that respectively correspond to the previous, pause, cancel, and help buttons of Beauchamp's Fig. 3. However, Applicant respectfully submits that whereas the term "pop-up" is used in the cited references, a "pop-up *menu*" and a "pop-up *window*" are very different features to a person of ordinary skill in the art. For example, when using Microsoft Word, and clicking with the mouse on "File" in the menu bar, a menu appears, but the menu appears in the same window and does not constitute what is understood in the art as being a window. A menu is simply a list of items from which a user may make a selection. Beauchamp's Fig. 3 illustrates what are understood in the art as being pop-up *menus*, i.e., a user moves the mouse over a button and a menu pops-up in the same window. Beauchamp uses the proper technical term, "menu," in the specification, and does teach or suggest a pop-up window, as illustrated

in the non-limiting example of Fig. 18 of Applicant's specification wherein a window pops-up (which window could include many things including, for example, pop-up menus).

Therefore, Beauchamp fails to teach or suggest every feature recited in Applicant's amended independent Claims 10 and 16, so that Claims 10-21 are patentably distinct over Beauchamp. Specifically, Beauchamp fails to teach or suggest any "popup window" and, in particular, that "the dynamic display component executes a dynamic display processing for displaying a popup *window based on the contents of the display attribute information*," as recited in amended independent Claims 10 and 16. Accordingly, Applicant respectfully requests reconsideration of the rejection based on Beauchamp.¹

Further, in order to vary the scope of protection recited in the claims, new Claims 22-29 are added. New Claims 22-29 further distinguish over the background art by reciting additional features of the claimed popup window and find non-limiting support in the disclosure as originally filed, for example in Figs. 17 and 18; and at pages 34 and 35. Therefore, the changes to the claims are not believed to raise a question of new matter.²

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 10-13, 15-19, and 21-29 is earnestly solicited.

¹ See M.P.E.P. 2131: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," (Citations omitted) (emphasis added). See also M.P.E.P. 2143.03: "All words in a claim must be considered in judging the patentability of that claim against the prior art."

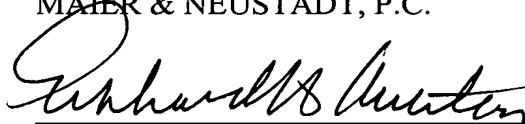
² See M.P.E.P. 2163.06 stating that "information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter."

Application No. 09/805,948
Reply to Office Action of June 29, 2005
RCE Filed Herewith

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

I:\ATTY\EHK\AMEND-RESPONSES\0039\20s\204669US-PRELIMAMENDMENT-121505.DOC